

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85568 of 2024

Arising Out of PS. Case No.-463 Year-2024 Thana- RAHUI District- Nalanda

Dhiraj Kumar @ Dhiraj Paswan son of Nirmal Paswan Resident of village
-Benar, Ps- sare, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr.
Shahabuddin Azeem, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rahui P.S. Case no. 463 of 2024 instituted for the offence under Sections 30(a), 30(c) of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a bike, six liters of country made liquor was recovered. It is alleged that there were two persons on the bike where one person managed to escape. The apprehended person was identified as Sunny



Kumar. Sunny Kumar told that the bike belongs to Nirmal Paswan and petitioner is the son of Nirmal Paswan.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that nothing has been recovered from conscious possession of this petitioner. Sunny Kumar is a co-villager and he has borrowed his bike for a personal cause. He has got no information regarding the alleged liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rahui P.S. Case No. 463 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District & Sessions Judge-



cum-Special Judge, Nalanda at Bihar Sharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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